



CITY OF PORT WASHINGTON, OZAUKEE COUNTY, WI  
**COMMON COUNCIL MEETING**  
**TUESDAY, MAY 16, 2023 AT 6:30 P.M.**  
Port Washington City Hall, 100 W. Grand Avenue, Port Washington, WI 53074

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**MINUTES**

1. **ROLL CALL-** Mayor Ted Neitzke IV convened the Common Council meeting at 6:30 p.m. Members present were Alderpersons Deborah Postl, Paul Neumyer, Mike Gasper, Dan Benning, Jonathan Pleitner, Pat Tearney and John Sigwart. Also present were City Administrator Anthony Brown, City Clerk Susan Westerbeke, City Attorney Eric Eberhardt, City Planner Robert Harris, ACA/HR Director Emily Blakeslee
2. **PLEDGE OF ALLEGIANCE TO THE FLAG-** The Pledge of Allegiance was recited.
3. **CONSENT AGENDA**  
*All items listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed and considered at this point on the agenda.*
  - A. **Approve Minutes of Previous Meeting**
  - B. **Approve April Financials**  
MOTION MADE BY ALD. POSTL, SECONDED BY ALD. BENNING TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion carried unanimously.
4. **MAYOR'S BUSINESS**
  - A. **Mayor's Updates** - Mayor Neitzke thanked the Police Department Honor Guard for honoring the State of Wisconsin's four fallen officers in 2023 during midnight tribute on May 13, 2023. Mayor Neitzke extended gratitude to Alderpersons, staff, and the business representatives for their collaboration in the "Mayor for a Day" event on May 12, 2023. The Police Department received a Proclamation in honor of National Peace Officers' Memorial Day, May 15, 2023. The Memorial Day Parade will be held May 23<sup>rd</sup> at 10:30 am. The Mayor expressed support of the Wisconsin Assembly Republican plan to increase State Shared Revenue (Municipal Aid payments) to municipalities.
5. **OFFICERS/STAFF REPORT- Department Monthly Reports** - Distributed in the meeting packet.
6. **PUBLIC COMMENTS/APPEARANCES**  
*Your comments are welcome. Please limit comments to three (3) minutes. If you need more time, contact the City Administrator, and ask that your topic be placed on a Common Council Agenda.* - None.
7. **FROM STANDING COUNCIL COMMITTEES**
  - A. **FINANCE AND LICENSE COMMITTEE**
    1. **Consideration and Possible Action on Approval of Alcohol Licenses and Cabaret Licenses for July 1, 2023 – June 30, 2024-** The City Clerk reviewed the alcohol and cabaret license renewals. All fees have been paid and establishments are in good standing. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE THE ALCOHOL AND CABARET LICENSES FOR JULY 1, 2023 – JUNE 30, 2024, AS PRESENTED, SUBJECT TO COMPLETION OF THE BACKGROUND CHECKS. Motion carried unanimously.
    2. **Consideration and Possible Action on One-Day Extension of Alcohol Premises for Port Festival of the Arts Event** - The City Clerk reviewed the request by Port Main Street for an

extension of alcohol premises for establishments participating in the Port Festival of the Arts event on June 3<sup>rd</sup> from 11:00 a.m. to 5:00 p.m. to allow beer and wine to be served and consumed in plastic cups in the designated festival area. The establishments included are Bernie's Fine Meats, John's Pizzeria, The Steerage Dining Saloon, Sir James Pub, Twisted Willow Restaurant, Schooner Pub, Singing Salmon, and Pier 6. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE THE EXTENSION OF ALCOHOL PREMISES AS PRESENTED. Motion carried unanimously.

**3. Consideration and Possible Action on Resolution 2023-6: Authorizing the execution and delivery of the Satisfaction of Mortgage- Prairie's Edge-** The City Administrator reviewed the resolution related to the May 24, 2023, closing date for the property located in the South Phase of the Prairie's Edge development. This resolution ensures that city staff completes all necessary actions prior to the closing date. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. PLEITNER TO APPROVE RESOLUTION 2023-6 AS PRESENTED. Motion carried unanimously.

## **B. ADMINISTRATION COMMITTEE**

**1. Consideration and Possible Action on Tourism Entity Agreement with Port Washington Tourism Council, Inc.** – Port Washington Tourism Council Executive Director Wayne Chrusciel provided a presentation and report to the Council. The City Administrator reviewed the agreement, which identifies the Port Washington Tourism Council, Inc. as the agent to receive, per state statute, 70 percent of the Hotel/Motel Sales Tax Revenue received by the city annually. This 10-year agreement clarifies expectations and will be in place through March 31, 2033. MOTION MADE BY ALD. SIGWART, SECONDED BY ALD. POSTL TO APPROVE THE AGREEMENT AS PRESENTED. Motion carried unanimously.

**2. Ordinance 2023-12: An Ordinance Establishing Fees for Non-Emergency Lift Assist Services Provided by City Fire or Ambulance Departments- 1<sup>st</sup> Reading** – The City Administrator reviewed the ordinance which is applicable to assisted living and nursing care facilities. Assistant Fire Chief Joe DeBoer was present to answer questions. After approval of the Resolution, the next step includes establishing the fee schedule by resolution, amending the current License and Fee Schedule. Subsequently, the Police and Fire Commission will establish procedural guidelines. This item will have a second reading at the next meeting.

## **8. FROM CITY BOARDS/COMMISSIONS**

### **A. PLAN COMMISSION**

**1. Public Hearing on Proposed Ordinance No. 2023-11, Amending, Renumbering and/or Repealing Portions of Ch. 10 (Health & Sanitation), Ch. 18 (Subdivision Control), and Ch. 20 (Zoning Ordinance) of the Municipal Code, to Require Buildings within a Subdivision and Other Divisions of Land to Connect to be served by Public Sewer and Water Facilities, and to Prohibit the Development of Subdivisions and Other Divisions of Land Using Private Onsite Sanitary Sewer or Water Systems.** - Mayor Neitzke opened the public hearing. There being no comments for or against, the public hearing was closed.

**2. Review and Possible Action on Ordinance 2023-11: Amending, Renumbering and/or Repealing Portions of Ch. 10 (Health & Sanitation), Ch. 18 (Subdivision Control), and Ch. 20 (Zoning Ordinance) of the Municipal Code, to Require Subdivisions and Other Divisions of Land to be Served by Public Sewer and Water Facilities. (2<sup>nd</sup> Reading)** – The Planning Director reviewed the ordinance, which was recommended for Council approval by the previous Special Plan Commission meeting. The City Administrator provided further clarification regarding Ch. 20, noting that legal non-conforming uses currently in existence continue to remain compliant. The proposed Ordinance affects various sections of the Municipal Code, including the Chapter 20 – Zoning Ordinance, and the highlights summarized below: Chapter 10 (Health and Sanitation):

- 1) Prohibits cesspools, cesspits, privies, privy vaults and privy tanks.
- 2) Private wells will be prohibited; A permit will be required for existing wells.

Chapter 18 (Subdivision Controls):

- 1) A subdivision preliminary plat and a final plat, including certified survey maps, shall comply with relevant City ordinances in effect at the time of submittal.
- 2) Requires all subdivisions, land divisions, and commercial developments to be served by public sewer and public water systems and facilities.
- 3) The subdivider/developer will be responsible for the cost of extending public sewer and water service to the site and for the sewer and water work within the subdivision.

Chapter 20 (Zoning Ordinance):

- 1) Amends sec. 20.22.040 to state that except for legal non-conforming uses which existed before May 19, 2023, no principal building involving human use or occupancy shall be permitted on a lot unless provision is made and ensured for safe and adequate facilities for water supply and disposal of sewage by means of connection to the public water service and public sewer system. MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMEYER TO APPROVE THE ORDINANCE 2023-11 AS PRESENTED. Motion carried unanimously.

**B. PARK AND RECREATION BOARD**

**1. Discussion and Possible Action on Memorandum of Understanding for use of the Concessions Stand at Municipal field with Port Washington Youth Baseball Inc. (also known as the Port Washington Youth Baseball/Softball Association)** – Recreation Director Tyler Mentzel was present to review the Memorandum of Understanding (MOU), and confirmation regarding the existing concession stand equipment. As a result of this MOU, the city would manage and take ownership of the existing equipment. The Parks and Recreation Board considered the MOU on May 11, 2023, and recommended Council approval. MOTION MADE BY ALD. PLEITNER, SECONDED BY ALD. GASPER TO APPROVE THE AGREEMENT AS PRESENTED. Motion carried unanimously.

**9. UNFINISHED BUSINESS-** None.

**10. NEW BUSINESS**

**Consideration and Possible Action on Resolution 2023-7: Establishing Polling Place for Ward 8, 4<sup>th</sup> Aldermanic District of the City of Port Washington for Special Election, and, if Needed, Special Primary Election, for Twenty-Fourth Assembly District** – The City Clerk discussed the Resolution related to the upcoming Special Election, slated for July 18, 2023, and potential Special Primary Election on June 20, 2023, if required. The deadline for candidates to file Ballot Access Papers is May 23, 2023, which will determine if the Special Primary Election is required. Only Ward 8 is included in this Special Election. Ward 8 is a new located within the Highland Pointe development in Ald. Benning's district. This Resolution allows the polling location to be moved to Grafton for this Special Election only. MOTION MADE BY ALD. BENNING, SECONDED BY ALD. POSTL TO APPROVE RESOLUTION 2023-7 AS PRESENTED. Motion carried unanimously.

**11. PUBLIC COMMENTS/APPEARANCES** - None

**12. ADJOURNMENT-** MOTION MADE BY ALD. POSTL, SECONDED BY ALD. NEUMEYER TO AJOURN THE MEETING AT 7:42 P.M. Motion carried unanimously.

Respectfully submitted,  
Susan L. Westerbeke, City Clerk